

questions to be submitted to the presiding officer for response by a person making a presentation.

(f) *Judicial review.* The Commissioner of Food and Drugs' decision constitutes final agency action from which the applicant may petition for judicial review. Before requesting an order from a court for a stay of action pending review, an applicant must first submit a petition for a stay of action under §10.35 of this chapter.

[67 FR 37996, May 31, 2002, as amended at 70 FR 14984, Mar. 24, 2005]

#### **§ 601.93 Postmarketing safety reporting.**

Biological products approved under this subpart are subject to the postmarketing recordkeeping and safety reporting applicable to all approved biological products.

#### **§ 601.94 Promotional materials.**

For biological products being considered for approval under this subpart, unless otherwise informed by the agency, applicants must submit to the agency for consideration during the preapproval review period copies of all promotional materials, including promotional labeling as well as advertisements, intended for dissemination or publication within 120 days following marketing approval. After 120 days following marketing approval, unless otherwise informed by the agency, the applicant must submit promotional materials at least 30 days prior to the intended time of initial dissemination of the labeling or initial publication of the advertisement.

#### **§ 601.95 Termination of requirements.**

If FDA determines after approval under this subpart that the requirements established in §§ 601.91(b)(2), 601.92, and 601.93 are no longer necessary for the safe and effective use of a biological product, FDA will so notify the applicant. Ordinarily, for biological products approved under § 601.91, these requirements will no longer apply when FDA determines that the postmarketing study verifies and describes the biological product's clinical benefit. For biological products approved under § 601.91, the restrictions would no longer apply when

FDA determines that safe use of the biological product can be ensured through appropriate labeling. FDA also retains the discretion to remove specific postapproval requirements upon review of a petition submitted by the sponsor in accordance with §10.30 of this chapter.

### **PART 606—CURRENT GOOD MANUFACTURING PRACTICE FOR BLOOD AND BLOOD COMPONENTS**

#### **Subpart A—General Provisions**

Sec.

606.3 Definitions.

#### **Subpart B—Organization and Personnel**

606.20 Personnel.

#### **Subpart C—Plant and Facilities**

606.40 Facilities.

#### **Subpart D—Equipment**

606.60 Equipment.

606.65 Supplies and reagents.

#### **Subpart E [Reserved]**

#### **Subpart F—Production and Process Controls**

606.100 Standard operating procedures.

606.110 Plateletpheresis, leukapheresis, and plasmapheresis.

#### **Subpart G—Finished Product Control**

606.120 Labeling, general requirements.

606.121 Container label.

606.122 Instruction circular.

#### **Subpart H—Laboratory Controls**

606.140 Laboratory controls.

606.151 Compatibility testing.

#### **Subpart I—Records and Reports**

606.160 Records.

606.165 Distribution and receipt; procedures and records.

606.170 Adverse reaction file.

606.171 Reporting of product deviations by licensed manufacturers, unlicensed registered blood establishments, and transfusion services.

AUTHORITY: 21 U.S.C. 321, 331, 351, 352, 355, 360, 360j, 371, 374; 42 U.S.C. 216, 262, 263a, 264.